

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03

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USIA FOR IEU/MCLAUGHLIN

E.O. 11652: N/A

TAGS: SOPN, PINT, PO

SUBJECT: INDEPENDENT PORTUGUESE NEWSPAPER DENOUNCES ALLEGED  
NEW PRESS LAW PROPOSAL

1. "JORNAL NOVO" (JN) EDITOR ARTUR PORTELA FILHO CRITICIZED SEVERLY MASS COMMUNICATIONS MINISTER JESUINO IN AUG. 5 FRONT-PAGE EDITORIAL FOR NEW PRESS LAW, WHICH JORNAL NOVO SAID JESUINO INTENDED TO PROPOSE. JORNAL NOVO CALLED ALLEGED PROPOSAL "UNDEMOCRATIC" AND A SERIOUS THREAT TO FREEDOM OF INFORMATION IN PORTUGAL. JN STORY CARRIED ARTICLES REPORTED TO BE FROM NEW PRESS LAW PROPOSAL NOT HERETOFORE ANNOUNCED BY MASS COMMUNICATIONS MINISTRY. JN SAID PROPOSED LAW, IF CARRIED OUT, WOULD PUT END TO SUCH NEWSPAPERS AS "EXPRESSO" (INDEPENDENT LIBERAL), JN (INDEPENDENT SOCIALIST) AND "O JORNAL" (WEEKLY INDEPENDENT SOCIALIST).

2. ACCORDING TO JN, PROPOSED PRESS LAW CALLS FOR ESTABLISHMENT OF MILITARY COMMITTEE (COMISSAO DE ANALISE DOS MEIOS DE COMUNICACAO SOCIAL - CAMCS) TO DETERMINE VIOLATIONS OF PRESS LAW, APPLY FINES UP TO 500 CONTOS (US\$20,000) AND SUSPEND PUBLICATION OF PAPER. CAMCS WOULD FUNCTION IN COORDINATION WITH MASS COMMUNICATION MINISTRY AND BE DIRECTLY  
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RESPONSIBLE TO REVOLUTIONARY COUNCIL.

3. PUNISHABLE OFFENSES CONSIST OF:

- DEVIATIONS FROM GENERAL PRINCIPLES AND ORIENTATION OF WHAT IS TRUE, OBJECTIVE, RESPONSIBLE AND PLURALISTIC INFORMATION;
- PUBLICATION OF FALSE OR TENDENTIOUS NEWS FOR WHATEVER PRETEXT AND INDEPENDENT OF SOURCE;
- MANIPULATION OF NEWS OR PUBLICATION OF FACTS WITH INTENTION OF PROVIDING ONLY PARTIAL VIEW;
- VIOLATION OF CITIZENS' RIGHT TO INFORMATION, OR MORE SPECIFICALLY, NEGLECT OF DUTY TO SENSITIZE POPULATION TO GREAT NATIONAL TASKS;
- ADOPTION OF SYSTEMATIC COUNTER-REVOLUTIONARY POSITIONS SHOWING LACK OF RESPONSIBILITY AND ALIENATION FROM REALITY OF REVOLUTIONARY PROCESS IN COURSE.

4. AUG. 6 LISBON PRESS REPORTED THAT JESUINO HAD NO COMMENT TO MAKE REGARDING PRESS LAW PROPOSAL AND THAT HE WOULD NEITHER CONFIRM NOR DENY JN REPORTAGE OF IT.  
COMMENT: IF ACCURATELY PUBLISHED, PROPOSED PRESS LAW APPEARS NOT ONLY TO THREATEN FREEDOM OF INFORMATION BUT ALSO HUMAN RIGHTS BECAUSE IT CONTAINS NO MENTION OF RIGHT OF JOURNALISTS ACCUSED OF VIOLATING LAW TO A HEARING. CHIEF DANGER OF LAW SEEMS TO BE THAT IT REMOVES DISCIPLINARY PROCESS FROM JUDICIAL SYSTEM PLACING MATTER IN HANDS OF MILITARY COMMITTEE. DEMOCRATIC JUDICIAL PROCEDURES AND SAFEGUARDS PRESUMABLY WOULD NOT APPLY TO IT. LAW PROPOSAL, WHICH WOULD PUNISH NEWSPAPERS MAINTAINING "COUNTER-REVOLUTIONARY POSITIONS" APPEARS TO BE GOP RESPONSE TO CONSEQUENCES OF "REPUBLICA" AFFAIR AS WELL AS AFM DECLARATION THAT EXISTING PRESS LAW IS OUTDATED. EXISTING PRESS LAW WHICH JESUINO ENDORSED WAS CONSIDERED WORKABLE DOCUMENT FAVORING FREEDOM OF INFORMATION. JN'S FACETIOUS TREATMENT OF ALLEGED PRESS LAW AND SEVERE DENUNCIATION OF MINISTER JESUINO WAS UNUSUALLY STRONG FOR PORTUGUESE PRESS, WHICH TENDS TO RESERVE HARSH CRITICISM FOR GOVERNMENTS OTHER THAN ITS OWN. JESUINO'S CABINET CHIEF, WHEN ASKED BY EMBOFF FOR HIS VIEWS OF JN COVERAGE, REPLIED TERSELY:  
"THE MINISTER SAYS "COMMENT."

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
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**Draft Date:** 06 AUG 1975  
**Decaption Date:** 01 JAN 1960  
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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**TAGS:** SOPN, PINT, PO  
**To:** STATE  
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